



Paper No. 10

Joseph H. McGlynn  
Patent and Trademark Services, Inc.  
6111 Saddle Horn Drive  
Fairfax, VA 22030

**COPY MAILED****OCT 09 2003****OFFICE OF PETITIONS**

In re Patent No. 6,081,221 :  
Issue Date: June 27, 2000 :  
Application No. 09/140,739 :  
Filed: August 27, 1998 :  
Attorney Docket No. DOC-9801 :

ON PETITION

This is a decision on the petition filed September 26, 2003, to waive the rules and accept the correction of the assignee's name on the front page of the above-identified patent.

The petition is dismissed.

Petitioner requests issuance of a certificate of correction in the name of "The United States of America as represented by the Secretary of Commerce, Washington, DC." 37 CFR 3.81(a) permits the patent to issue to the assignee, provided that, at the time the issue fee is paid, the name of an assignee is provided. 37 CFR 3.81(b) permits the patent to issue in the name of an assignee if the assignment was submitted after payment of the issue fee, but **prior to issuance of a patent**. Patent and Trademark Office assignment records disclose that an assignment from two (2) inventors, Magalore Sachidananda and Dusan S. Zrnica to the U.S. Department of Commerce was recorded on July 7, 2003, after the date of issuance of this patent. Accordingly, since the assignment was not submitted for recordation until after issuance of this patent, issuance of a certificate of correction would not be proper. See MPEP Section 307.

In view of this decision, the \$100 certificate of correction fee paid on July 17, 2003, will be refunded to petitioner by Treasury Check, in due course.

Further correspondence with respect to this matter should be addressed as follows:

**By MAIL:** Mail Stop PETITION  
Commissioner for Patents  
Post Office Box 1450  
Arlington, VA 22313-1450

**By HAND:** Office of Petitions  
Crystal Plaza 4, 3C23  
2201 South Clark Place  
Arlington, VA 22202

**By FAX:** (703) 308-6916  
Attn: Office of Petitions

The patented file is being forwarded to Files Repository.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (703) 308-6711.

Andrea Smith  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy